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CERTIFICATE OF FAX TRANSMISSION

Transmission Date: **14 April 2008** Docket: **1030-018**

Transmission #: **1** of Total Transmissions: **1**

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I hereby certify that the following correspondence is being facsimile transmitted, via one or more transmissions as described above, to the attention of the Director of the US Patent and Trademark Office on the above date via the following facsimile number: 571-273-8300.

Reply to Non-Final Office Action (2 sheets)

Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a

Pending "Reference" Application (1 sheet)

Fee Transmittal Form (PTO/SB/17) (1 sheet)

Application Number 10/519,637
Confirmation No.: 9141
Filing Date: 28 December 2004
Document Submission Date: 14 April 2008

Art Unit: 3637
Examiner: Safavi, Michael
Inventor: Tyler, Rodney
Docket: 1030-018

14 Apr 2008

Date

Kelly B. Smoker

Name of Certifier

Signature of Certifier

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)
 65.00

Complete if Known

Application Number	10/519,637
Filing Date	28 December 2004
First Named Inventor	Tyler, Rodney
Examiner Name	Safavi, Michael
Art Unit	3637
Attorney Docket No.	1030-018

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order None Other (please identify): _____

 Deposit Account Deposit Account Number: 50-2504 Deposit Account Name: Michael N. Haynes

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Change fee(s) indicated below Change fee(s) indicated below, except for the filing fee
 Change any additional fee(s) or underpayments of fee(s) Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity
Fee (\$)

Fee (\$)

Fee (\$)

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

360 180

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
	- 20 or HP =	0	25	= 0		
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			0

$$\cdot 3 \text{ or HP} = 0 \times 105 = 0$$

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 -	/ 50 =	0	(round up to a whole number) x 130	= 0

4. OTHER FEE(S)

Non-English Specification: \$130 fee (no small entity discount)

Other: Terminal Disclaimer:

Fee Paid (\$)

0

65

SUBMITTED BY

Signature

Michael N. Haynes

Registration No. 40,014

Telephone 434-972-9988

Name (Print/Type)

Michael N. Haynes

Date 14 Apr 2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT
Application 10/519,637
Attorney Docket 1030-018**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Tyler, Rodney
Application	10/519,637
Confirmation	9141
Filed	28 December 2004
Application Title	Containment Systems, Methods, and Devices
Art Unit	3637
Latest Examiner	Safavi, Michael

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO OFFICE ACTION AND REQUEST FOR RECONSIDERATION

In reply to the Office Action mailed on 28 January 2008, the three month shortened statutory period for responding to which expires on 28 April 2008, Applicant respectfully submits the following: